

REMARKS

Applicants respectfully request reconsideration and allowance of the above-identified patent application. Claims 1-24 and 26-37 remain pending, wherein claims 1, 5, 11, 13, 16, 27, 28, 29, 34, and 35 have been amended.

Initially, Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the many telephonic and personal interviews held during the prosecution of this case. Applicants also note with appreciation the Examiner's withdrawal of the previous grounds of rejection. Further, Applicants note with appreciation the Examiner's acknowledgment that numerous claims contain allowable subject matter.

In the Office action, claims 1, 5, 11, 16, 27, 28, 29, and 34 are objected to for various informalities. Accordingly, Applicants amended these claims in order to address those concerns raised by the Examiner. As such, Applicants respectfully request withdrawal of these grounds of objections.

Also in the Office action, claims sets 1, 13, and 35¹ and 16 and 34 were alternatively rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More specifically, these claims sets have been rejected for allegedly containing insufficient antecedent basis for the terms "the test module" and the successfulness" as provided in the respective claims. Accordingly, these claims have been amended in order to address those concerns raised by the Examiner; and therefore, Applicants respectfully request withdrawal of these grounds of rejection.

Finally, the Office action rejects claims 34-37 under 35 U.S.C. § 101 as allegedly directed toward non-statutory subject matter. More specifically, the Office action alleges that in view of Applicants' disclosure and the language in the independent claim 34 that it is unclear whether the claimed computer-readable includes signal entities. In the interest of expediting prosecution of the current application, Applicants have amended claim 34 in order to make clear

¹ Applicants respectfully note that claim 35 was rejected as allegedly not having antecedent basis for the term "the test module"; however, such term does not appear in this claim. Nevertheless, claim 35 did include the term "the successful". As such, Applicants believe that this was the reason for the rejection; and therefore, have amended claim 35 accordingly. If, however, claim 35 was rejected under this section for other reasons, Applicants respectfully request that they be contacted for possible authorization of Examiner's Amendments to correct any such deficiencies.

that the computer readable media is storage media, e.g., RAM, CD-ROM, etc.² Accordingly, Applicants respectfully request withdrawal of this ground of rejection.

All objections and rejections having been addressed, Applicants respectfully submit that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any question arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at +1.801.533.9800.

Dated this 5th day of June, 2007.

Respectfully submitted,

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² Nevertheless, Applicant reserves the right to further challenge this ground of rejection on the basis perviously outlined in our Amendment "A" filed June 26, 2003.